IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 73696-M of 2006

DATE OF DECISION : 19.02.2007

Kulwant Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Harpreet S. Rakhra, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

* * *

Petitioner Kulwant Singh, apprehending his arrest in a non-bailable offence in case FIR No. 51 dated 23.6.2005 under Sections 408/34 IPC, registered at Police Station Sadar Bathinda, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 25.7.2005, passed by Additional Sessions Judge, Bathinda, whereby bail application of the petitioner has been dismissed.

Counsel for the petitioner contends that when the interim anticipatory bail was granted to the petitioner by the court below, he not only joined the investigation, but he also deposited the disputed amount of Rs. 51,100/- of his share.

While issuing notice of motion on November 23, 2006, interim anticipatory bail was granted to the petitioner subject to his joining investigation.

Counsel for the petitioner states that in terms of the aforesaid interim order dated November 23, 2006, the petitioner has joined the investigation. The State counsel, after having instructions from Maura Singh ASI does not dispute this fact and further states that the petitioner is no more required for further investigation and he has also deposited the disputed amount of Rs. 51,000/- of his share, as contended by counsel for the petitioner.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated November 23, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

February 19, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**